

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,	:	Case No. CR-1-02-01
	:	(Judge S. Arthur Spiegel)
Plaintiff,	:	
	:	
vs.	:	
	:	
AARON SMITH,	:	
	:	
Defendant.	:	

**MOTION FOR EARLY TERMINATION
OF SUPERVISED RELEASE**

Now comes the Defendant, Aaron Smith, by and through counsel, and respectfully moves this Court to terminate his supervised release. Mr. Smith has successfully completed 36 months of a 60 month term of supervised release. The reasons for this Motion are set forth in the attached Memorandum in Support.

Respectfully submitted,

SIRKIN, PINALES & SCHWARTZ LLP

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MEMORANDUM

On January 9, 2002, Mr. Smith was indicted for possessing, with intent to distribute, over five kilograms of cocaine. He pleaded guilty on May 21, 2002 and was sentenced to 70 months incarceration on October 30, 2002. On December 16, 2004, Mr. Smith's sentence was reduced to 40 months and 21 days on motion of the government. Mr. Smith was also sentenced to 5 years of community control. As of the filing of this Motion, he has successfully completed 36 months of supervised release.

As support for this motion, Mr. Smith states the following:

- (1) During the time he has been on supervised release, he has complied with each and every term of his supervised release and no incident reports have been filed.
- (2) He has never stalled, missed, or had a positive drug test.
- (3) He has completed all financial obligations to the court.
- (4) He has established and maintained credit and savings.
- (5) He has accomplished 6 years of sobriety, including completing court ordered drug rehab in May 2005 and voluntarily attending NA/AA while he was in prison and on supervised release.
- (6) He has maintained gainful employment since released in December 2004.
- (7) He has obtained an Associate's Degree in Science with a GPA of 3.0 allowing him to work as an Environmental Engineer for a major consulting firm in Huntington Beach, CA.
- (8) He has volunteered over 120 hours to the non-profit organization, Startree Foundation, over the last 2 years.

- (9) He has volunteered as a firefighter for Riverside County Fire Department, Station 8.
- (10) He has volunteered at the Harvest Fair in San Bernardino, CA for The Center for Developmental Learning for 2 years.
- (11) He has donated money to the Victims of Illegal Street Racing Foundation and has worked to promote safe and sane racing.
- (12) He has assisted in saving the lives of two people involved in car accidents since his release.

Since his release from prison, Mr. Smith has demonstrated that he has completely turned his life around and is and will continue to be a productive member of society. He has not only maintained his sobriety and found gainful employment, but he has spent considerable time volunteering in his community. Furthermore, his company has offered him the opportunity of international employment upon his completion of supervised release.

Mr. Smith's Probation Officer, Jesse Jacobs, is in favor of early termination of supervised release. Mr. Jacobs can be contacted directly at (909) 383-3788 to discuss Mr. Smith's accomplishments further. Mr. Smith is currently engaged to be married and is looking forward to putting his past behind him and focusing on the new life that he has already begun.

For the aforementioned reasons, Mr. Smith respectfully moves this Court to terminate his supervised release.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was forwarded via the Court's electronic filing system to Robert C. Brichler, Assistant U.S. Attorney, Atrium II, Suite 400, 221 E. Fourth Street, Cincinnati, Ohio 45202, on this 3rd day of December 2007.

/s/ Martin S. Pinales

MARTIN S. PINALES (Ohio Bar No. 0024570)